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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,866	07/10/2003	Siege Tanaka	116519	8430

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EXAMINER

PATEL, RAMESH B

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,866

Applicant(s)

TANAKA, SIEGO

Examiner

Ramesh B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-15 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to the Amendment

1. Claims 1-15 are presented for examination.
2. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been received and filed in the application.

4. The rejection to claims 1-15 under 35 U.S.C. 102(b) is maintained and updated to included newly added limitation(s) and/or remark(s).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Blomqvist et al. (US Patent 5,859,415).

As to claims 1-2 and 9, Blomqvist teaches the invention including a control system comprising: a plurality of control apparatuses connected to each other to communicate with each other such as cameras connected to each other with transmitter and receiver equipment for communicating with cameras and central processing unit or central office through computer for communication among one another and controlling camera and toll facility through automatic and manual payment collection of proper toll amount (see, col. 2, lines 55-66 and col. 3, lines 4-14), wherein: each of control apparatuses includes a first transmission unit for transmitting identification information of the control apparatus's own the other control apparatuses is taught as the transponder which is arranged to pick up

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microwaves and transform them in to an answer signal comprising information enabling a payment operation for the vehicle and an intelligent card for transmitting data via transponder including identification data (see, abstract and figure 1 and col. 2, lines 26-36 and lines 45-50); a reception unit for receiving identification information of the other control apparatuses transmitted from the other control apparatuses is taught as the transmitter and receiver equipment are provided for supporting communications to cameras, toll booth and central facility (see, abstract and figures 1-2 and col. 2, lines 26-36, 55-66 and col. 4, lines 1-44); and a first storage unit for storing the identification information of the control apparatus's own and the identification information of the other control apparatuses to which registration update information is added in a table of the control apparatus's own is taught as the vehicle unit includes unique identification number for possible tolls drawing from an account related to unique number of the unit and if desired the vehicle unit can thus function completely without a smart card provided that the current identification number has been transmitted to the unit and stored in the safety module (see, abstract and col. 3, lines 58-67 and col. 4, lines 24-36 and col. 7, lines 32-53).

As to claims 3-4 and 10-11, Blomqvist teaches the system wherein the first storage unit conducts the storage at a time of first energization after the control apparatus are connected to each other and each of control apparatuses further includes a comparison unit for comparing table information read out from the table of the control apparatus's own and table information read out from the

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table of the other control apparatuses and when each of comparison units concludes that at least one of the table information is different from the other table information, each of first storage unit stores all the identification information to which new registration update information is added in each of tables (see, abstract and figure 1 and col. 3, lines 14-40 and 61-67).

As to claims 5 and 12, Blomqvist teaches the system wherein each of control apparatuses further includes: a second transmission unit and a second storage unit and when each of comparison units concludes that the at least one of the table information is different from the other table information, each second history information stored transmission units transmits the table of the control apparatus's own to the control apparatus including the at least one of the table information and each of second storage units stores the history information transmitted by the second transmission units in the table of the control apparatus's own is taught as the central processing station or toll booth having computer for storing and processing information received from vehicle's unit and cameras (see, abstract and figures 1-2 and col. Col. 2, lines 26-53 and col. 2, line 55 to col. 3, line 13).

As to claims 6 and 13, Blomqvist teaches the system wherein the comparison units conduct the comparison at a predetermined timing (see, abstract and figure 1 and col. 2, line 54 to col. 3, line 19 and col. 4, lines 24-36).

As to claims 7 and 14, Blomqvist teaches the system wherein further comprising: a reading unit for reading table information stored in each of tables of the control apparatuses, wherein: the reading unit includes: a transmission request unit for requesting at least one of the control apparatuses to transmit the table information stored in the table of the at least one of the control apparatuses (see, abstract and figures 1-2); a notification unit for notifying the table information, which is transmitted on the basis of the request by the transmission request unit and each of control apparatuses includes a third transmission unit for transmitting the table information stored in the control apparatus's own to the reading unit on the basis of the request by the transmission request unit (see, abstract and col. 2, line 37 to col. 3, line 19 and col. 4, lines 24-36).

As to claims 8 and 15, Blomqvist teaches the system wherein the notification unit includes an indicator lamp mounted on a vehicle (see, figure 2, element 13 and col. 2, lines 40-53 and col. 4, lines 24-36).

6. Applicant's arguments filed on 5/17/2005 regarding claims 1-15 have been fully considered but they are not persuasive. As to the applicant's arguments regarding "As discussed in the specification, for example, at page 12, line 8, et seq., the control apparatus may output a control signal for driving various actuators." In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the control apparatus may output a control signal for driving

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various actuators) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). As to the arguments regarding "there are no controllers with associated identification data" and "The transponder and...passive devices"; the Blomqvist reference teaches that cameras are provided for controlled by the toll facility such as a lower level, cameras directed forwards and backwards and controlled for approaching traffic flow to register vehicles which unpermittedly are driven on the verge for identifying and forwarding the information to toll facility for processing and collecting toll (see, col. 2, lines 28-35 and 45-53 and col. 3, lines 61-67 and col. 5, lines 21-44 and col. 7, lines 32-53). As to the applicant's arguments regarding claims 1-15, the Blomqvist reference teaches a plurality of control apparatuses connected to each other to communicate with each other such as cameras connected to each other with transmitter and receiver equipment for communicating with cameras and central processing unit or central office through computer for communication among one another and controlling camera and toll facility through automatic and manual payment collection of proper toll amount (see, col. 3, lines 4-14), wherein each of control apparatuses includes a first transmission unit for transmitting identification information of the control apparatus's own the other control apparatuses is taught as the transponder which is arranged to pick up microwaves and transform them in to an answer signal comprising information enabling a payment operation for the vehicle and an intelligent card for transmitting data via transponder including

identification data (see, col. 2, lines 26-36 and lines 45-50); a reception unit for receiving identification information of the other control apparatuses transmitted from the other control apparatuses is taught as the transmitter and receiver equipment are provided for supporting communications to cameras, toll booth and central facility (see, figures 1-2 and col. 2, lines 26-36, 55-66 and col. 4, lines 1-44); and a first storage unit for storing the identification information of the control apparatus's own and the identification information of the other control apparatuses to which registration update information is added in a table of the control apparatus's own is taught as the vehicle unit includes unique identification number for possible tolls drawing from an account related to unique number of the unit and if desired the vehicle unit can thus function completely without a smart card provided that the current identification number has been transmitted to the unit and stored in the safety module (see, col. 3, lines 58-67 and col. 4, lines 24-36 and col. 7, lines 32-53).

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh B. Patel whose telephone number is 571-272-3688. The examiner can normally be reached on M-Th; 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ramesh B. Patel
Primary Examiner 6/23/05
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